

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Second Appeal No. 448/2007

(Diwakar Maniram Sakharkar **VERSUS** Smt.Sushiladevi Satnarayan Goenka & 5 others)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Khajanchi, Advocate for the appellant.

CORAM : Smt. Vasanti A. Naik, J.

DATE : 30th August, 2007.

Shri Khajanchi, the learned counsel for the appellant submits that the appellant ought to have challenged the judgments passed by the trial as well as the appellate Court before the appropriate forum as the second appeal would not be maintainable against the judgment and decree passed by the first appellate Court under the provisions of Maharashtra Rent Control Act, 1999. He, therefore, seeks permission to withdraw this second appeal with liberty to file appropriate proceedings.

Permission and liberty, both are granted, as prayed for. The second appeal is disposed of as withdrawn.

JUDGE